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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,653	09/12/2001	Robert A. Koch	60027.0042US01/BS01191	1170
45695	7590	10/20/2005	EXAMINER	
WITHERS & KEYS FOR BELL SOUTH P. O. BOX 71355 MARIETTA, GA 30007-1355			PITARO, RYAN F	
		ART UNIT	PAPER NUMBER	
		2174		

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/955,653	KOCH, ROBERT A.	
	Examiner	Art Unit	
	Ryan F. Pitaro	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 August 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. Claims 1-24 have been examined.

### *Response to Amendment*

2. This communication is responsive to Amendment B, filed 8/19/2005.
3. Claims 1-24 are pending in this application. Claims 1,9,17 are independent claims. The finality of the previous Office Action dated 6/16/2005 has been withdrawn. This action is final.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1,2,3,5,9,10,12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoigui (“Omoigui”, US6,694,352) in view of Microsoft (“Microsoft”, “The Window Interface”).

As per independent claim 1, Omoigui teaches a method for providing a notification that events have occurred, the method comprising: receiving a request at multiple sources over a computer network to provide a notification in response to the occurrence of the event to a client computer, the request comprising a description of the event and a user identifier (Column 10 lines 54-63, Column 11 lines 3-14); determining whether the event has occurred (Column 11 lines 15-27); and in response to determining that the even has occurred, identifying a network

address for the client computer based on the user identifier; and transmitting a request to the client computer at the network address to provide the notification that the event has occurred (Column 8 lines 11-19). Omoigui fails to distinctly point out opening a new window for each notification. However, Microsoft teaches opening a new user interface window at the client computer for each notification where each new user interface window is dedicated to displaying each notification in response to receiving each request (Page 128 lines 1-9). Therefore, it would have been obvious to an artisan at the time of the invention to combine the teaching of message dialogs of Microsoft with the notifications of Omoigui. Motivation to do so would have been to ensure that the important information is relayed to the user.

As per claim 2, which is dependent on claim 1, Omoigui-Microsoft teaches a user interface window including a description of the event (Microsoft, Page 128 lines 10-20).

As per claim 3, which is dependent on claim 2, Omoigui-Microsoft teaches the user interface displayed over one or more currently active windows (Microsoft, Page 54 lines 14-20).

As per claim 5, which is dependent on claim 4, Omoigui-Microsoft teaches a method wherein the request to provide a notification further comprises data for customizing the notification, wherein transmitting a request to the client computer to provide the notification that the event has occurred further comprises transmitting the data for customizing the notification, and wherein the user interface window further comprises the data for customizing the notification (Column 12 lines 12-21).

Claim 9 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

Claim 10 is similar in scope to that of claim 3 and is therefore rejected under similar rationale.

Claim 12 is similar in scope to that of claim 5 and is therefore rejected under similar rationale.

Claim 13 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to that of claim 9 and is therefore rejected under similar rationale.

Claim 15 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

Claim 16 is similar in scope to that of claim 9 and is therefore rejected under similar rationale.

Claim 17 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to that of claim 3 and is therefore rejected under similar rationale.

6. Claims 4,6,8,11,22,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoigui (“Omoigui”, US 6,694,352) and of Microsoft (“Microsoft”, “The Window Interface”) in view of Wolfe (“Wolfe”, US 6341305).

As per claim 4, which is dependent on claim 3, Omoigui-Microsoft fails to teach the use of hyperlinks having additional information. However, Wolfe teaches the user interface window comprising one or more hyperlinks referencing a networking location having additional information regarding the event (Wolfe, Column 17 lines 14-27). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Wolfe into the method of Omoigui-Microsoft. Motivation to do so would have been to provide a way to get supplemental information in case the user was interested in more information than what was provided.

As per claim 6, which is dependent on claim 1, Omoigui-Microsoft -Wolfe teaches a method wherein identifying a network address for the client computer based on the user identifier comprises querying a network service provider or other network database for the network address of the client computer (Wolfe, Column 19 lines 23-26)

As per claim 8, which is dependent on claim1, Omoigui-Microsoft -Wolfe teaches a method wherein the request to provide a notification in response to the occurrence of the event is received at a business web server (Wolfe, Column 17 lines 56-67).

Claim 11 is similar in scope to that of claim 4 and is therefore rejected under similar rationale.

As per claim 22, which is dependent on claim 17, Omoigui-Microsoft -Wolfe teaches wherein said visual indication that said event has occurred further comprises a hyperlink, and wherein said client computer is further operative to receive a selection of said hyperlink and, based on said selection, send a data message (Wolfe, Column 17 lines 14-27).

As per claim 24, which is dependent on claim 17, Omoigui-Microsoft -Wolfe teaches a method wherein multiple user interface windows are displayed simultaneously (Wolfe, Figure 48).

7. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoigui (“Omoigui”, US 6,694,352) and Microsoft (“Microsoft”, “The Window Interface”) in view of Nawaz et al (“Nawaz”, US 5959621).

As per claim 19, which is dependent on claim 17, Omoigui-Microsoft fails to teach a billing server computer. However, Nawaz teaches further comprising a billing server computer, and wherein said visual indication that said event has occurred further comprises a hyperlink, and wherein said client computer is further operative to receive a selection of said hyperlink and, based on said selection, to place an order with said billing server computer (Nawaz, column 9, lines 14-24). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Omoigui-Microsoft with the current teaching of Nawaz. Motivation to do so would have been to provide a way of reminding a user that a certain bill is overdue.

As per claim 20, which is dependent on claim 17, Omoigui-Microsoft fails to teach a calendaring server computer. However, Nawaz teaches further comprising a calendaring server computer, and wherein said visual indication that said event has occurred further comprises a hyperlink, and wherein said client computer is further operative to receive a selection of said hyperlink and, based on said selection, to create an appointment with said calendaring server

computer (Nawaz, column 9, line 15-24 and column 10, line 29-37; Microsoft outlook supports calendar for scheduling events). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Omoigui-Microsoft with the current teaching of Nawaz. Motivation to do so would have been to provide a way of alerting a user of any conflicts in appointments that he or she may have.

4. Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omoigui (“Omoigui”, US 6,694,352) and Microsoft (“Microsoft”, “The Window Interface”) in view Timm et al. (US. # 6,055,268).

With respect to claim 7, which is dependent on claim 1, Omoigui-Microsoft fails to teach wherein said request to display a visual indication that said event has occurred is transmitted to said client computer over a high-speed always-on network connection. However, Timm teaches wherein said request to display a visual indication that said event has occurred is transmitted to said client computer over a high-speed always-on network connection (Timm, column 16, line 57-62). It would have been obvious to one skilled in the art at the time of the invention to include Timm's high-speed always-on network connection with Omoigui-Microsoft client computer for non-stop fast connectivity.

Claim 23 is similar in scope to that of claim 7 and is therefore rejected under similar rationale.

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Omoigui (“Omoigui”, US 6,694,352) and Microsoft (“Microsoft”, “The Window Interface”) in view of Buhler (US. # 6,104,704).

With respect to claim 21, which is dependent on claim 17, Omoigui-Microsoft fails to disclose wherein at least one of the notifications that one of the events has occurred further comprises a hyperlink, and wherein said client computer is further operative to receive a selection of said hyperlink and, based on said selection, to place a telephone call. However, Buhler teaches wherein said visual indication that said event has occurred further comprises a hyperlink, and wherein said client computer is further operative to receive a selection of said hyperlink and, based on said selection, to place a telephone call (Buhler, column 3, line 25-33). It would have been obvious to one skilled in the art at the time of the invention to include Buhler's telephone call with Omoigui-Microsoft 's client computer to establish active communication to gather additional information regarding any event.

#### *Response to Arguments*

Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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